

NATURAL RESOURCES COMMISSION

Meeting Minutes

October 29, 2007

Pursuant to the notice filed with the Town Clerk, the meeting of the Natural Resources Commission was held at 141 Keyes Road, Concord, MA at 8:30 a.m. on Monday, October 29, 2007. The following Commissioners were present: Alexander Easterday, Chair, Steve Verrill, and George Lewis. Delia Kaye, Natural Resources Administrator; Katie Holden, Natural Resources Assistant Administrator; and Cynthia L. Gray, Natural Resources Administrative Assistant were also present.

SPECIAL TOWN MEETING WARRANT ARTICLES 9 and 10

Copies of a memo dated October 22, 2007 from Delia Kaye to Jim Terry, Chair, Bruce Freeman Rail Trail Advisory Committee, were available to the public at this meeting. The memo states Delia Kaye's response to Article 9 and was provided at the Monday, October 22, 2007 public hearing on the Special Town Meeting Articles.

Alexander Easterday stated he had polled separately both absent Commission members, Montgomery Lovejoy and Jamie Bemis relative to their positions on Articles 9 and 10. Alexander Easterday stated that Montgomery Lovejoy was against both Articles 9 and 10. Alexander Easterday stated that Jamie Bemis was neutral on both Articles 9 and 10.

Steve Verrill stated due diligence was necessary but that the regulations should not be used as a stop mechanism. Steve Verrill stated there is adequate protection without these Articles. Steve Verrill indicated his opposition to both Articles 9 and 10.

George Lewis stated that this was an environmentally sensitive area and requested clarification on Article 10. Lydia Rogers, 210 Old Pickard Road, noted that the intent of Article 10 was to be sure the 25% design was first shown to the public for review and comment prior to be submitted to the state. George Lewis stated the process currently in place is sufficient, the articles are not warranted, and noted his opposition to both Articles 9 and 10.

Alexander Easterday stated the MEPA process was being followed and there would be plenty of opportunity for public comment. Alexander Easterday stated his opposition to both Articles 9 and 10. Alexander Easterday encouraged citizen participation and noted that these Special Town Meeting Warrant Articles would only delay the process and cost the Town additional money. Alexander Easterday stated there is ample process.

George Lewis moved to oppose both Special Town Meeting Warrant Articles 9 and 10. Steve Verrill seconded. All so voted.

Lydia Rogers, 210 Old Pickard Road, asked at what point the design would be made public. Peggy Briggs, 253 Elm Street, Board of Selectman, noted her support for Article 10 and asked who for the Town would sign off on the 25% design. Delia Kaye stated she expected Chris Whelan or the Board of Selectman would sign, but that this was unclear. Delia Kaye stated she would recommend that the design be made public before it is submitted to the State. Barbara Pike, 118 Border Road, asked when the Board of Selectmen would support the BFRT, and noted

that the Town would have a hearing and MassHighway would have a hearing thereafter. Peggy Briggs noted that the best way to pursue this would be to obtain the best 25% design with minimal changes. Steve Verrill asked how near final a budget would be with a 25% design. Lydia Rogers, 210 Old Pickard Road, stated that a 25% design should include what is found by the NRC and the consultant. Lydia Rogers stated more public process would ensure a smoother process and better plans.

Delia Kaye stated Peggy Briggs asked that the NRC make a presentation at Special Town Meeting in response to these articles. Alexander Easterday noted that the NRC is only a support committee for this project, and stated his opposition to making a presentation. Alexander Easterday stated most of the public process questions were for the Board of Selectmen. George Lewis concurred as he indicated this was about process. Delia Kaye noted that clarification was needed to be sure that a public hearing would be held prior to submission to the State. Katie Holden stated Delia's October 22nd memo clearly explains the extensive additional environmental review being implemented by the Town. This could be provided to educate the public. A recent Concord Journal article also discussed the extra environmental analysis beyond what is required being undertaken by the Division of Natural Resources. Delia Kaye stated this includes a wildlife analysis. Alexander Easterday stated the NRC would make a statement at Town Meeting and provide a hand out, but that a presentation was not needed. Alexander Easterday requested to review the August 2005 Feasibility Study. Alexander Easterday stated he would attend the Board of Selectmen meeting tonight.

George Lewis moved to oppose both Special Town Meeting Warrant Articles 9 and 10. Steve Verrill seconded. All so voted.

CLOSE HEARING/ISSUE PERMITS:

EARLEY – 177 Monsen Road, DEP File #137-942

Steve Verrill moved to close the hearing and issue a Standard Order of Conditions with Special Conditions 18-45. George Lewis seconded. All so voted.

OVERALL (Duplicate) – 404 Monument Street, DEP File #137-921

Steve Verrill moved to issue a Duplicate Order of Conditions with Findings A and B and Special Conditions 18-39. George Lewis seconded. All so voted.

The meeting adjourned at 9:20 a.m.

Respectfully submitted,

Delia R. J. Kaye, Natural Resources Administrator

Katie Holden, Natural Resources Assistant Administrator

Cynthia L. Gray, Natural Resources Administrative Assistant